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OFFICE OF PETITIONS

In re Application of :
Mao-Lin Chen :
Application No. 10/784281 :
Filed: 02/24/2004 : LETTER DISMISSING PETITION
For: ANTI-LEAKING DEVICE FOR :
LUBRICATION OIL IN A FAN :

This is a communication in response to the paper styled as a petition under 37 CFR 1.137(b),¹ filed on 29 November, 2006.

The petition is dismissed for the reasons stated below.

This application became abandoned on 22 November, 2006, for failure to timely submit the issue and publication fees in response to the Notice of Allowance and Fee(s) Due mailed on 21

¹ Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof. In an application abandoned for failure to pay the publication fee, the required reply must include payment of the publication fee.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).

August, 2006, which set a three (3)-month statutory period for reply. Notice of Abandonment was mailed on 16 January, 2007.

The petition paper cannot be considered because it is not signed. Specifically, the lower half of the second page of the petition, including the signature block, was not received. As a properly completed petition form was not received, the papers filed do not constitute a proper petition.

37 CFR 1.4 requires that all papers filed in the USPTO must be signed by either a registered patent attorney or all of the inventors in an application.

It is recommended that petitioner resubmit the petition.

No additional fee is due.

A reply to this communication should be submitted within ONE (1) MONTH of the receipt of this communication.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Mail Stop Petition
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions